

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/31/10 has been entered.
2. Claims 4, 7, 36-37, 39-40, 42, 45 and 51 have been amended.
3. New claims 52-55 have been added.
4. Claims 1-3, 5, and 8-34 have been cancelled.
5. Claims 4, 6-7 and 35-55 are pending.

EXAMINER'S AMENDMENT

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kent E. Genin (Reg. No. 37,834) on 06/30/10.

The application has been amended as follows:

In the claims:

With respect to claim 7:

A non-volatile computer readable storage device medium having an executable program, the program to be utilized in an audio and/or video device for playback of encrypted tracks of audio and/or video content, wherein an encrypted track of audio and/or video content comprises at least one encrypted audio or video file, the program configured to, for each encrypted audio or video file:

decrypt an encrypted audio or video file from a memory card, wherein decrypting the audio or video file comprises:

- (a) decrypting a key stored in a memory of the audio and/or video device;
- (b) decrypting one of a plurality of portions of the audio or video file;
- (c) deleting the decrypted key; and
- (d) repeating (a) through (c) until all of the plurality of portions of the audio or video file are decrypted.

With respect to claim 53:

A device for playback of encrypted content from a memory card, wherein the content is retrievable as one or in successive portions of a file in a track and the file has a plurality of portions, the device comprising:

a processor; and

a module operatively coupled to the processor and configured to play the content by:

retrieving the content one portion at a time and for each portion retrieved:

obtaining an encrypted key from a protected area of the memory card;

decrypting the obtained encrypted key;

decrypting the this portion of the content with the decrypted key;

and

deleting the decrypted key after decrypting the this portion of the content and before decrypting any succeeding portion of the content,

wherein the content is decrypted one retrieved portion at a time, each portion individually decrypted by a separate key.

Allowable Subject Matter

7. Claims 4, 6-7 and 35-55 are allowed.
8. The following is an examiner's statement of reasons for allowance: The prior art on record Hirota (US 6,856,431) teaches a playback apparatus that plays tracks of audio made up of one or more encrypted files referred to as audio object (AOB) files. Each AOB file has a unique filename and has a "File key" for decrypting the respective AOB file. When an encrypted AOB file is played back, the appropriate FileKey is retrieved and placed in RAM in a FileKey storing area and the FileKey is sent to descrambler 7. The FileKey is maintained in the descrambler while the entire AOB file is decrypted and played back. Akinao (JP 11250141) teaches deleting a decoding key after decoding an enciphered content.

9. However, the prior art on record fails to teach "*the audio and/or video file being retrievable in a plurality of portions, retrieving one of the plurality of portions of the audio and/or video file from the memory card; decrypting the obtained encrypted key; decrypting the one of the plurality of portion of the audio and/or video file with the decrypted key; and deleting the decrypted key after decrypting the one of the plurality of portions of the audio and/or video file before decrypting an additional one of the plurality of portions of the audio and/or video file*"

including all the other limitations recited in claim 4.

10. Independent claims 7, 39, 42 and 53 have similar limitations as claim 4, therefore, are also allowed for the same reason set forth above.

11. Dependent claims 6, 35-38, 40-52 and 54-55 are also allowed.

12. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHEWAYE GELAGAY whose telephone number is (571)272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Shewaye Gelagay/
Examiner, Art Unit 2437

/Matthew B Smithers/
Primary Examiner, Art Unit 2437